CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

DECEMBER 20, 2005

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

CALL TO ORDER:
Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino.

INVOCATION:
Father Charles Hofschulte of St. Louis de Montfort Catholic Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Mariscal led the pledge of allegiance.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, Assistant City Manager Haydon, City Attorney Trujillo, Police Chief Macagni, Director of Administrative Services Snodgrass, Director of Community Development Lindsey, Director of Recreation and Parks Posada, Fire Chief Ortiz, Director of Utilities Chisam, Principal Civil Engineer Nybo, Solid Waste Utilities Engineer Zhao, and Chief Deputy City Clerk Perez.

ANNOUNCEMENTS
Mayor Lavagnino welcomed Judge Flores home from the hospital after having heart surgery.

Mayor Lavagnino introduced Rebekah Bing. Mayor Lavagnino stated he was lucky enough to meet Rebekah at the Santa Maria Chamber of Commerce "Take a Future Business Leader to Lunch" program. Rebekah is such a dynamic person. She is a junior at Santa Maria High School, president of her junior class, president of Future Business Leaders of America, a varsity cheerleader, teaches catechism to second graders every week at Saint John Neuman Catholic Church, and is an excellent student. She is very involved in her school and her church.

Councilmember Orach stated each Councilmember hosted a student at the luncheon and it was quite striking hearing the accomplishments of these students. It gives a lot of hope that the country and the City will be in good hands in the future.

RESOLUTION HONORING DONNA PIGEON
Mayor Lavagnino read Resolution No. 2005-184 commending and congratulating Donna Pigeon, Police Dispatcher for the City of Santa Maria, upon her retirement after twenty-three years of faithful, distinguished, and devoted service to the City and the community.

Resolution No. 2005-184 was adopted on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2005-184 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA COMMENDING SANTA MARIA DISPATCHER DONNA PIGEON FOR HER 23 YEARS OF OUTSTANDING SERVICE TO THE CITY OF SANTA MARIA AND CONGRATULATING HER ON HER RETIREMENT.

Mayor Lavagnino presented the resolution to Donna Pigeon and thanked her for her long service to the City and community.

VOLUNTEER OF THE MONTH
Councilmember Patino commended Gary Bendixen, the Recreation and Parks Volunteer of the Month for December 2005, for his commitment of time and energy as volunteer head coach with the Summer Youth Basketball League.

Mr. Bendixen was not present to accept the gift.

LIGHTS, SIGHTS, AND HOLIDAY NIGHTS CONTEST WINNERS
Councilmember Orach and Ryan Heath from the Recreation and Parks Department presented plaques to the winners of the 2005 Lights, Sights, and Holiday Nights Decorating Contest winners: Jamie and Javier Martinez of 1150 W. Creston, winners of the Best Residence Award; Larry and Michell Iliff of 917 Beth Court, winners of the Most Inspirational Award; Marian Medical Center, winner of the Best Business Award; Larry Stewart of 330 S. Scott Drive, winner of the Best Use of Craftsmanship Award; and Jake Barks representing the 1700 Block of LaSalle, winners of the Best Block Award.

Robert and Glynda Dias of 670 E. Newlove, winners of the Most Nostalgic Award, and Lou and Tasha Mendez of 1030 DeSoto Drive, winners of Neighborhood Spirit Award, were not present.

The 14 "Awards of Excellence" winners were also recognized.

PUBLIC COMMENT
Nicholas Andersen spoke about the true meaning of the holiday season being lost to consumerism.

Ernest Armenta spoke against Proposition A and Proposition B, two countysales tax measuresfor transportation potentially on the upcoming June or November ballot, methane gas from the Landfill being sold to Marian Medical Center, and having City Advisory Body meetings televised on PEG access TV.

Dave Erickson spoke regarding the increase in crime in the City and the need for additional Police Officers. He also indicated he would like to see the City set up a Police Commission and wanted the Police Chief to give a report at each Council meeting. He requested an item be placed on the next agenda.

CONSENT CALENDAR
Mayor Lavagnino pulled Items 3D at the request of Ernest Armenta and 3I for discussion.

Councilmember Trujillo announced that he would be abstaining from Items 3D and 3H since he was absent from the last meeting.

Item 3D – Ordinance No. 2005-17, an ordinance amending the Municipal Code relating to commercial vehicles parked or stored on residentially zoned lots or parcels.

Ernest Armenta spoke against the ordinance because it was punishing small business owners instead of honoring them for what they do for the community.

Item 3I – Award of Bid for the Landfill Multi-Year Rolling Closure.

Mayor Lavagnino announced that questions had been raised regarding the use of Non-Hazardous Impacted Soil and asked the Director of Utilities to give a brief overview.

Director of Utilities Chisam stated back in the 1990's the City developed a long-term plan that would provide additional landfill capacity and protect the environment. In cooperation with State agencies that regulate the solid waste industry, the City was able to develop a plan that would mitigate potential groundwater impacts and facilitate the closure of the unlined portion of the landfill. The multi-year plan was prepared with the input of over nine different environmental engineering organizations to meet the strictest federal and state standards and was reviewed by three separate regulatory agencies.

An Environmental Impact Report was prepared, and over the last 10 years, three additional addendums to that EIR were prepared which provided the public the opportunity to comment on the project. A total of five public hearings were held. Two additional documents were prepared that would regulate every aspect of the landfill operation including the Non-Hazardous Impacted Soils program. Both of the documents describe in great detail the method of operation at the landfill. The City receives monthly inspections from the local enforcement agencies and submits routine reports to the regulatory agencies who ensure that the facility is operated in accordance with these high standards. The City landfill and Non-Hazardous Impacted Soils operation have been audited by 10 different public and private organizations that use the facility to insure for themselves that the City is performing to the standards that were established for the program. This program has received two awards of excellence. Approval of the bid will continue the plan to protect the water quality of the Santa Maria Valley.

Councilmember Mariscal asked about the reporting requirements.

Director Chisam explained there were 45 – 50 monitoring wells that are monitored each and every month and a report of those readings is compiled. Tests are taken with regard to various constituents in the groundwater. Additionally, the City operates a gas migration system which requires operation reports for the Air Pollution Control District and the Regional Water Quality Control Board. There are also completely different reporting requirements for the Non-Hazardous Impacted Soils where all of the soils profiles for the materials that come into the facility are reviewed and balanced against the criteria for acceptance.

Councilmember Mariscal stated he understood there was an additional barrier that traps the leachate that comes out. One of the things that the City has been able to do with this process is keep some of the leaching of the hazardous materials from the normal landfill materials from going into the water table.

Director Chisam explained that was correct. With the advent of this project, the City has been able to permanently close the unlined portion of the landfill in a timely and progressive fashion that has improved the water quality in that area over the last few years. The existing landfill where refuse material is currently being placed, has nine levels that are utilized to remove any leachate or material that might come through.

Councilmember Mariscal commented that in addition to all that, the City has established several new programs at the landfill such as the designated areas for electronic equipment, certain places for paint and chemical solvents, and just recently a separate location for construction materials.

Director Chisam stated the City currently has an "E" waste program, a program for refrigerators and appliances, grant funding for expansion of the household hazardous waste facility, an agricultural plastic recycling program, and the construction debris program which just recently started operating.

Councilmember Mariscal asked Director Chisam to explain what types of impacted soils could be accepted at the landfill.

Director Chisam explained the impacted soils are traditionally oil fill cuttings from when they developed the well. There also could be residuals from an oil leak or tank farm. It is permitable to leave these soils in the ground where they are; there is no mandate to remove them. However, because of the nature of the oil companies desire to be able to remediate their properties for sale and other types of operations, many of them have chosen to relocate these materials. The federal and state standards for development of foundation layers for landfills directly approve these types of materials to be used. The City is strictly prohibited from taking any hazardous materials into the landfill.

Mayor Lavagnino commented the statement has been made many times that San Luis Obispo is so concerned about impacted soils that they are requiring trucks to be washed before they leave their area.

Director Chisam stated under the current rules, regardless of the quality of the soil, they would have to wash off the tires, even if it is clean beach sand. With the new storm water regulations and permitting that is required, this has become standard practice in the trucking industry and at all construction sites no matter where they are located or what they are doing. They clean off their tires and cover their loads when they leave the site.

Councilmember Orach stated when the plan for the closure of the landfill started in the early 1990's, the amount of money the City would have to come up with was horrific. The Utilities Department has been instrumental in reducing the costs of closing and extending the life and capacity of the landfill.

Councilmember Trujillo stated in the last 25 or 30 years, there has been tremendous advances made in this area. There are 8 or 9 federal and state agencies that regulate landfills. The City has a regional center that is one of the best in the area.

Consent Calendar Items A through N were approved with the indicated action on motion by Councilmember Orach, seconded by Councilmember Patino and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Trujillo (Items 3D and 3I only)

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar are adopted by the same vote cast at the first reading unless City Council indicates otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of December 6, 2005, were approved as submitted.

C. CONFLICT OF INTEREST CODE
Resolution No. 2005-185 was adopted approving amendments to the Conflict of Interest Code of the City.

Resolution No. 2005-185 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING APPENDIX "A" OF THE CONFLICT OF INTEREST CODE FOR DESIGNATED FILERS OF THE CITY OF SANTA MARIA.

D. ORDINANCE NO. 2005-17
Council conducted second reading of Ordinance No. 2005-17 amending the Municipal Code relating to commercial vehicles parked or stored on residentially zoned lots or parcels, and adopted the ordinance.

Ordinance No. 2005-17 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA AMENDING SUBSECTION (h) OF SECTION 5-6.202 OF THE SANTA MARIA MUNICIPAL CODE RELATING TO COMMERCIAL VEHICLES IN RESIDENTIAL ZONES.

E. WARRANTS
Warrant Nos. 124213 to 124541 in the amount of $1,870,365.35 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 114150, 115529, 115582, 116166, 122853, and 123174 were cancelled.

F. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads as shown on records on file in the Administrative Services Department and having been approved for payment by the Director of Administrative Services.

G. ENTERTAINMENT LICENSE
An Entertainment License for Grand China at 800 S. Broadway, to allow the addition of live music for wedding receptions, birthday parties and other event parties to be held Monday through Sunday between the hours of 11:00 a.m. and 12:00 midnight, was approved.

H. ORDINANCE NO. 2005-16
The second reading of Ordinance No. 2005-16, approving the reformat of the zoning map and setting the purchase price at $25.00, was conducted and the Ordinance was adopted.

Ordinance No. 2005-16 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE REFORMAT OF THE ZONING MAP OF THE CITY OF SANTA MARIA.

I. AWARD OF BID
Resolution No. 2005-186 was adopted awarding a bid and approving an agreement with Central Coast Remedial Resources, Inc., for Bid No. 2006/08, Landfill Multi-Year Rolling Closure in the amount of $4,125,355.

Resolution No. 2005-186 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH CENTRAL COAST REMEDIAL RESOURCES, INC. FOR LANDFILL MULTI-YEAR ROLLING CLOSURE, BID NO. 2006/08.

J. AWARD OF BID
Resolution No. 2005-187 was adopted awarding a bid and approving an agreement with Sansone Company for Bid No. 2006/07, Landfill Gas Flare Expansion in the amount of $387,100.

Resolution No. 2005-187 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH SANSONE COMPANY, INC. FOR LANDFILL GAS FLARE EXPANSION, BID NO. 2006/07.

K. REJECTION OF BIDS/CALL FOR BIDS
Resolution No. 2005-188 was adopted rejecting all bids for Robin Ventura Field, Bid No. 2006/05 and granting approval to call for bids (re-advertisement) on the plans and specifications for Robin Ventura Field.

Resolution No. 2005-188 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REJECTING ALL BIDS FOR ROBIN VENTURA FIELD, BID NO. 2006/05.

L. CALL FOR BIDS
Approval was granted to call for bids on the plans and specifications for Atkinson Park Site Work, Bid No. 2006/09.

M. WEED ABATEMENT COSTS
Resolution No. 2005-189 was adopted approving assessments for additional weed abatement for six lots.

Resolution No. 2005-189 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING REPORT OF WEED ABATEMENT COSTS FOR ASSESSMENT PURPOSES BY THE STREETS AND FACILITIES MANAGER.

N. SUBDIVISION MAP AND AGREEMENT
Resolution No. 2005-190 was adopted approving the subdivision map and agreement for The Village at Westgate Ranch, Tract 5863, generally located south of La Brea Avenue, east of "A" Street, north of Sonya Lane, and west of Blosser Road.

Resolution No. 2005-190 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE SUBDIVISION MAP AND AGREEMENT FOR THE VILLAGE AT WESTGATE RANCH, TRACT 5863.

APPOINTMENT OF PLANNING COMMISSIONER

Mayor Lavagnino announced there was one vacancy on the Planning Commission due to the resignation of Commissioner Trent Beneditti. Two applications were received from Michael Moats and Johnnie Schwark. The nomination would be made by Councilmember Orach.

Councilmember Orach nominated Dr. Michael Moats.

On motion by Councilmember Orach, seconded by Councilmember Mariscal, and carried unanimously, Michael Moats was appointed to the Planning Commission to complete the unexpired term of Trent Beneditti which will expire in January 2009.

Dr. Moats was introduced and the Council congratulated him on his appointment and thanked him for agreeing to serve.

APPOINTMENT OF MAYOR PRO TEM

Mayor Lavagnino indicated following the normal rotation, he had offered the position of Mayor Pro Tem to Councilmember Orach who declined and Councilmember Trujillo who declined. Mayor Lavagnino nominated Councilmember Patino to serve as Mayor Pro Tem for 2006. Councilmember Orach seconded the nomination. The nomination was ratified on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

COMPENSATION FOR COMMISSIONERS

Assistant City Manager Haydon gave the staff report. Councilmember Trujillo recently requested that staff look into the monthly compensation that the City pays Planning Commissioners and Recreation and Parks Commissioners as compared to their counterparts in other jurisdictions to see if a $25 increase in their compensation was warranted. Since 1986, the City has compensated each Planning Commissioner $50 per meeting that they attend per month up to a maximum of six meetings a month or $300 per month in compensation. In 2001, the Council began compensating Recreation and Parks Commissioners at a rate of $50 per meeting that they attend per month. There is only one regularly scheduled Recreation and Parks Commission meeting per month. Planning Commissioners and Recreation and Parks Commissioners are also eligible to receive reimbursement for any pre-approved official City business expenses incurred while carrying out their duties. Staff contacted nearby municipalities to determine how much compensation their Planning Commissioners and Recreation and Parks Commissioners received, and the results were varied. Some cities paid their Planning Commissioners anywhere from $50 per meeting per month up to a maximum of $200 a month, some only paid $25 per meeting attended, and some do not compensate their Planning Commissioners at all. While other cities reimburse their Recreation and Parks Commissioners for official business expenses, only two other cities provide some type of stipend. One city provides $25 per meeting, and the other $25 per month for gasoline-related expenses. This is a policy issue for Council's consideration.

Councilmember Trujillo indicated that the people the City has on these two Commissions are very intelligent and perform a very important service for the community. If the City had to hire professionals, it would be paying a lot more. They are asked to attend a lot of meetings and functions, and they are not always reimbursed.

Resolution No. 2005-191 was adopted approving a $25 per meeting per month increase in compensation for Planning Commissioners and Recreation and Parks Commissioners on motion by Councilmember Trujillo, seconded by Councilmember Mariscal, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None

ABSENT: None
ABSTAIN: None

Resolution No. 2005-191 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, SETTING THE COMPENSATION FOR PLANNING COMMISSIONERS AND RECREATION AND PARKS COMMISSIONERS.

RODENBERGER PARK RECOMMENDATIONS

Director of Recreation and Parks Posada gave the staff report. Over the past several months, Rodenberger Park has been the subject of concern for some of the residents in the Park Villas development. The five major concerns included the location of the group picnic area, trash, the portable restroom, parking, and noise from park use. These concerns were presented to the Recreation and Parks Commission at the July 12, 2005, meeting. The Commission appointed a Committee of two Commissioners to work with staff to investigate the concerns, review park operations and make recommendations for the full Commission's consideration and adoption. Commissioner Badalutz and Commissioner Grennan were selected for this assignment. The Committee found that one or more of the issues identified by the Park Villas residents exist at virtually all City parks. After considering the top five issues, the Committee presented recommendations to the Recreation and Parks Commission at the October 11, 2005, meeting. The Commission unanimously approved the recommendations to be forwarded to the City Council. The recommendations include: Issue 1 and 2 - downsizing the current number of tables in the picnic area from 15 to 8 tables on a trial basis, replace current trash receptacles with ones that better control trash, add a low debris fence along the east-end of the Park, and continue with the practice of not taking group reservations; Issue 3 – centralize the location of the portable restroom closer to the picnic area and enclose it with screening to soften the visual impact; Issue 4 – direct staff to work with the Engineering Division to consider other alternatives to moderate vehicles and pedestrian traffic during peak use periods on Santa Barbara Street; Issue 5 – provide electrical connections and a specifically constructed area for the use of specialty structures such as bounce houses at the park.

Mayor Lavagnino asked if this park was constructed as a neighborhood park.

Director Posada stated it was constructed as a neighborhood park; however, there is nothing in the Code that defines a neighborhood park. It is a City park for the use of all residents.

Mayor Lavagnino stated he could not see reducing the number of tables from 15 to 8. He said he had been at the park and felt the current location of the portable restroom was much more hidden than it would be if it was moved closer to Santa Barbara Street.

Councilmember Trujillo stated parks are for all the people of the City. Santa Maria is a very young community in terms of young families with children. They like to go to the parks. He said he did not agree with reducing the number of tables and did not feel it was in the best interest of all the residents of the City. He did not like portable restrooms, but the City had a plan to construct permanent restrooms systemically. He would agree to constructing a permanent restroom as soon as feasible. He said he thought the existing parking was adequate, however, the electrical connection was a good thing.

Councilmember Orach stated this park is very nice with the cabana over the group area. It allows some of the larger families in the community to gather. The park is a community park and not a private park. He said he liked the electrical connection. When the City has the opportunity and the money, permanent restrooms should be constructed. He said it was a long walk from the picnic table site to the portable restroom and agreed to moving it.

Councilmember Patino stated even though this park is in a neighborhood, it is going to be used by the residents of Santa Maria. She said she absolutely did not want to

downsize the group picnic area. It bothered her that the Recreation and Parks Commission had recommended making these accommodations for a handful of people. She said she did have a problem with the restrooms being so far away especially for mothers trying to supervise their young children. She said she did not want to make the accommodations because it was a beautiful park.

Councilmember Mariscal asked about the reservation issue. He said he thought if the Recreation and Parks Department took reservations, they would be in a position to know who was using the park and require them to abide by a set of standards and regulations.

Director Posada stated that was why the Department required reservations for the larger picnic areas in other parks. He said one or two activities that were disturbing to the neighbors were approved by the City because a permit was issued for the event. Now, it is done on a first come, first serve basis, and the City has no record of who they are or what activities they planned.

Councilmember Mariscal indicated he would like to go back to taking reservations. He said he recalled the incident and not everything that took place at the park that day was disclosed on the reservation form. He said he was concerned about someone tripping over the low fence that is recommended as a trash barrier.

Director Posada indicated it would be designed to be part of the landscaping.

Councilmember Mariscal stated he was in favor of the electrical connection so that the use of generators could be eliminated. He would like to see that at all the City's parks. He said the City was working on building permanent restroom facilities at the parks, but that it costs about $200,000 for each restroom.

Mayor Lavagnino reviewed the changes to Exhibit "A" of Resolution No. 2005-192 based on Councilmembers' comments as follows:

- Rejected downsizing the current number of tables from 15 to 8;
- Accepted replacing current trash receptacles with ones that better control trash;
- Accepted adding a landscaping barrier along the east-end of the park rather than a low debris fence;
- Reinstated the practice of taking group reservations at this park at the present time because Council believed the City will have better control by knowing who reserves the group picnic area;
- Accepted centralizing the location of the portable restroom closer to the picnic area and enclosing it with screening to soften the visual impact;
- Directed staff to work with the Engineering Division to consider other alternatives to moderate vehicular and pedestrian traffic during peak use periods on Santa Barbara Street and accepted the Traffic Committee's recommendations for traffic calming and parking modifications; and
- Accepted providing electrical connections and a specifically constructed area for the use of specialty structures at the park.

Resolution No. 2005-192 was adopted with the above outlined changes approving the Recreation and Parks Commission's recommendations related to Rodenberger Park on motion by Councilmember Patino, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2005-192 adopted as amended. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ACCEPTING THE RECREATION AND PARKS COMMISSION'S RECOMMENDATIONS TO MITIGATE CONCERNS EXPRESSED BY NEIGHBORING RESIDENTS OF RODENBERGER PARK.

Councilmember Mariscal stated he would like to thank Recreation and Parks Commissioner Grennan and Commissioner Badalutz for serving on this special committee. It is with a very heavy heart that Commissioner Badalutz is thanked because she passed away suddenly last Thursday. It has left a huge void. This lady has given to the community since the day she arrived in Santa Maria almost 30 years ago. Every day she gave willingly with a smile. She took her position on the Recreation and Parks Commission extremely seriously. She has been a senior advocate, working with seniors almost all of her professional career as an insurance agent. She had done so much work for the City at the Mussell Senior Center even before becoming involved as a member of the Recreation and Parks Commission.

PEG ACCESS OPERATIONS

Assistant City Manager Haydon gave the staff report. Over the last few years, the cities of Santa Maria and Lompoc have worked together to develop, expand and improve Public, Education, and Government (PEG) access operations in both communities. On September 2, 2003, both cities approved a Memorandum of Understanding to administer and operate PEG access-related operations. Both cities appointed representatives to sit on a five-member advisory board. Both cities now have their own fully functioning media center and both share personnel resources. Under the current arrangement, employees are hired by the City of Santa Maria and are assigned to each media center. The City of Lompoc reimburses Santa Maria for those personnel resources assigned to the Lompoc facility. On October 28, 2005, the PEG Executive Director resigned. This resignation created the opportunity for both cities to re-examine the current operational arrangement and to reassess the personnel resources needed to make this operation successful. At its December 14th Board of Directors meeting, the Board voted to recommend to each City Council that the cities go their own separate ways with regard to PEG access operations and operate independently. The Board also recommended that the two cities continue to allocate the annual PEG grant proceeds from Comcast on a 50/50 basis and that the position of PEG Executive Director be eliminated and replaced by two separate PEG Station Managers, one for each media center. The Board further recommended that the existing MOU be rewritten to reflect these operational changes. The Council is being asked to approve the Board's recommendations.

Mayor Lavagnino asked about the 50/50 split of the grant funding when Santa Maria was twice as large as Lompoc.

Assistant City Manager Haydon explained that there had been numerous discussions with Lompoc on what that split should be. Staff from both cities agreed that this was a grant from Comcast, and the purpose of the grant was to provide PEG access to both communities. Since both shared the same system and were receiving funds from Comcast, it seemed that a 50/50 split was the best solution.

Resolution No. 2005-193 was adopted authorizing staff to prepare an amendment to the existing MOU between the Cities of Santa Maria and Lompoc, to approve the new classification of PEG Station Manager, and to eliminate the classification of PEG Executive Director on motion by Councilmember Trujillo, seconded by Councilmember Mariscal, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2005-193 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING STAFF TO REVISE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITIES OF SANTA MARIA AND LOMPOC FOR PUBLIC, EDUCATION AND GOVERNMENT (PEG) ACCESS OPERATIONS, AS WELL AS AUTHORIZE CERTAIN PERSONNEL CHANGES TO THE PEG ACCESS OPERATION.

REPORT BY CITY MANAGER
City Manager Ness reported on items for the next regular City Council meeting on January 3, 2006, including a resolution honoring Trent Beneditti and appointments to certain Boards and Committees.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS
Councilmember Orach wished everyone a Merry Christmas and a fantastic 2006 and thanked everyone who decorated their homes for the holiday season.

Councilmember Patino spoke about the drivers in Santa Maria. She said there have been so many incidents lately. The City can't put a police officer on every corner. The Police Department has talked about red light enforcement cameras. She said the City needed to start ticketing these drivers and let them know that Santa Maria was not a place where traffic codes could be violated.

Mayor Lavagnino stated he had heard there were companies that would partner with a City to install red light enforcement cameras for part of the citation amounts.

Police Chief Macagni stated the partnership that the Police Department is considering now is a cost neutral proposal. They have started the initial phases and would be providing the Council with information in the near future. The Department is addressing the traffic issues. In the last two and a half years, over 27,000 citations have been written. He said he still believed that Santa Maria had some of the worst drivers. The Department would be continuing its educational and outreach efforts to address the issue. The Department would also be working closely with City Management to address the issues during the upcoming budget process.

Councilmember Mariscal stated he was in Santa Barbara last week and read a report about a citizen that was killed on the sidewalk in front of his home due to a road rage condition. One of the drivers was an unlicensed Mexican national, the other driver was a young white male who was driving on a suspended license. Personal responsibility needs to be stressed again. It is a societal question that this City Council can not solve.

Councilmember Mariscal invited everyone to celebrate the life of Barbara Badalutz at 1:30 p.m. at Pacific Christian Church with a reception at the Mussell Senior Center following the service.

Mayor Lavagnino wished everyone a Merry Christmas and a Happy New Year and a Feliz Navidad.

CLOSED SESSION
The City Council recessed to a Closed Session at 8:10 p.m. for Conference with Legal Counsel regarding existing litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss Santa Maria Valley Water Conservation District v. City of Santa Maria; Conference with Real Property Negotiators pursuant to Government Code Section 54956.8 to discuss purchase of property from Chevron Environmental Services Company; and Conference with Labor Negotiator pursuant to Government Code Section 54957.6 – Agency representative: Assistant City Manager, Employee organizations: Santa Maria Police Officers Association and Non-Represented Management & Confidential Employees

After the Closed Session, the following was announced:

Santa Maria Valley Water Conservation District v. City of Santa Maria – Status report. No reportable action.

Conference with Real Property Negotiators regarding APN's 101-030-010, 101-030-013 and 101-030-014 – Direction to staff.

Conference with Labor Negotiator re: Santa Maria Police Officers Association – Direction to staff.

Conference with Labor Negotiator re: Non-Represented Management & Confidential Employees – Direction to staff.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 9:05 p.m. by order of Mayor Lavagnino.

APPROVED

January 3, 2006
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST
Chief Deputy City Clerk

Mayor of the City of Santa Maria